

REMARKS

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The Office Action of July 15, 2003 was received and reviewed. The Examiner is thanked for indicating the allowance of claims 2, 3, 6-8, 11, 12, 15-17, 19-35, and 37-67, as well as for conducting a telephonic interview with Applicants' representative on October 15, 2003 to discuss the rejection of claims 60-67.

Claims 2, 3, 6-8, 11, 12, 15-17, 19-35 and 37-67 are pending prior to the instant amendment. By this amendment, independent claims 60 and 61 are amended.

Referring now to the detailed Office Action, claims 22, 28, 40, and 51 stand objected under 37 C.F.R. 1.75 as being substantially duplicate of claims, 2, 11, 31, and 43, respectively. In response to the objection, Applicants would like to bring to the Examiner's attention to an inadvertent error in claim 22 submitted in the Amendment of April 14, 2003. In the Amendment of April 14, 2003, claim 22 was amended to correct an informality, specifically to change a colon (":") to a semi-colon (";") in line 4. However, an original clause was unintentionally omitted in the amended claim. Particularly, the clause "wherein aluminum to nitrogen ratio in said aluminum nitride insulating film is in the range of 0.9 to 1.4" was not included in claim 22. Accordingly, Applicants have amended claim 22, as shown above, to correct this unintentional error and to reclaim the aforementioned omitted clause. Applicants respectfully note that the omitted clause can be found in claim 22 submitted in Amendment of December 17, 2000.

Claims 60-67 stand rejected under 35 U.S.C. §103(a) as unpatentable over Troxell et al. in view of Ikeda, further in view of Shimada et al. In response to the rejection, and as suggested by the Examiner during the interview on October 15, 2003, Applicants have amended claims 60 and 61, as shown above, to further clarify the claim language and to overcome the §103(a) rejection.

Claims 60 and 61 are amended to recite an aluminum nitride insulating film contains therein oxygen. This language is suggested by the Examiner which follows the claim language found in the allowed claim 2. As submitted during the telephonic interview with the Examiner, the amended feature of claims 60 and 61, which is an allowed feature of claim 2, can be found at least in the last paragraph on page 5 of the present specification, wherein

oxygen is incorporated with AlN in a trace amount to control the strain and tension of the AlN film.

Further, as discussed during the telephonic interview, the combination of the SiO₂ layer 16 of Troxell with the AlN layers 12 of Ikeda would create, for example, a laminate layer of SiO₂ and AlN, and not a layer of an aluminum nitride insulating film which contains therein oxygen as recited in amended claims 60 and 61.

In view of the foregoing, it is respectfully requested that the rejection and objection of record be reconsidered and withdrawn by the Examiner, that claims 60-67, as well as claims 22, 28, 40, and 51, be allowed and that the application be passed to issue. If a conference would expedite prosecution of the instant application, the Examiner is hereby invited to telephone the undersigned to arrange such a conference.

Respectfully submitted,


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